

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

CROWN CORK & SEAL COMPANY, INC.	)	
and CLARK EQUIPMENT COMPANY,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	1:99CV00869
	)	
CBS CORPORATION, as successor in	)	
interest to WESTINGHOUSE ELECTRIC	)	
CORPORATION, et al.,	)	
	)	
Defendants.	)	

**J U D G M E N T**

For the reasons set out in an Order entered contemporaneously with this Judgment,

**IT IS ORDERED AND ADJUDGED** that plaintiffs' motion to dismiss defendant C&M Oil Distributors, Inc. as a defendant from this lawsuit with prejudice, and further, that all cross-claims or third-party claims arising out of plaintiffs' claims for recovery of their RI/FS costs, RD/RA costs, or any other response costs against defendant C&M Oil Distributors, Inc. (docket no. 543) is granted, and that the Court, in fact, dismisses any cross-claim or third-party claim by any party against defendant C&M Oil Distributors, Inc. with prejudice as a result of its settlement of plaintiffs' claims, and further, that the Court accepts the Uniform Comparative Fault Act proportionate share rule for this case so that plaintiffs' contribution claims against the non-settling defendants will be reduced by the fair share of defendant C&M Oil Distributors, Inc.

This the day of September 30, 2005

/s/ N. Carlton Tilley, Jr.  
United States District Judge